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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,930	10/10/2001	Yuki Akiyama	TESJ.0040	4840

7590 03/01/2004

REED SMITH HAZEL & THOMAS LLP
Suite 1400
3110 Fairview Park Drive
Falls Church, VA 22042

EXAMINER

TAYLOR, APRIL ALICIA

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/972,930

Applicant(s)

AKIYAMA, YUKI

Examiner

April A. Taylor

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 11, 12, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed 26 August 2003.

Claim Objections

2. Claims 11, 12, 15, 17, 19, and 20 are objected to because of the following informalities:

Re claims 11, 12, 19, and 20: The limitation in claims 11 and 19 where it says "said information recording element has a function of counting the number that information is read" is unclear to the examiner. The Examiner believes that the limitation should read "said information recording element has a function of counting the number of times the information is read". Appropriate clarification is required.

Re claim 15: Substitute "stack type bar code" with – stack bar code – (see line 2).

Re claim 17: Substitute "claim 15" with – claim 16 – (see line 1).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-10, 13, 14, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Carayiannis et al. (US 2001/0044324 A1).

Re claims 1, 8, 9, and 10: Carayiannis et al teaches a system for reading display information comprising:

an information display member 20;

at least one mobile communication terminal 100 of a public mobile communication system for reading at least a portion of the display information displayed on the information display member 20;

wherein the information display member 20 comprises an information recording element 94 in which necessary and/or optional information of the information portion is stored and a signal member for notifying an existence of the information recording element 94, and the mobile communication system further comprises means for detecting the signal member, wherein the signal member carries a signal displayed by figures;

the mobile communication system comprises a reader mechanism 128 for reading information recorded in the information recording element 94 and a display mechanism 108 for displaying the read information, and the information recorded in the information recording element including the portion of the display information displayed on the information display member 20; and

means for displaying in an enlarged manner a desired portion of the information displayed on the display mechanism of the mobile communication system. (See figures 1-4; page 2, paragraphs 20-27; page 3, paragraph 37)

Re claim 2: Carayiannis et al teaches wherein the information recording element 94 is a bar code (see page 2, paragraph 20).

Re claim 3: Carayiannis et al teaches wherein the information recorded in the reader mechanism 128 is transferred to a system having a function of a communication terminal (see page 2, paragraph 27 and page 3, paragraph 29).

Re claim 5: Carayiannis et al teaches wherein the information recorded in the reader mechanism 128 is further recorded in a personal computer (see page 2, paragraph 27 and page 3, paragraph 29).

Re claim 6: Carayiannis et al teaches wherein text information is stored in the information recording element 94 (see page 2, paragraph 20).

Re claim 7: Carayiannis et al teaches wherein the information recorded in the reader mechanism 128 is copied (see page 2, paragraphs 24 and 26-27).

Re claim 13: Carayiannis et al teaches wherein the mobile communication system includes a mobile phone 100 (see page 2, paragraph 21).

Re claim 14: Carayiannis et al teaches wherein the reader mechanism 128 reads information from the information recording element 94 in a non-contact manner (see page 2, paragraph 26).

Re claim 18: Carayiannis et al teaches wherein the mobile communication system further comprises reading-out means for reading the text information into voice (see page 3, paragraph 29).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carayiannis et al. (US 2001/0044324 A1). The teachings of Carayiannis et al have been discussed above.

Re claim 4: Carayiannis et al teaches a system wherein a USB port, infrared port, serial port, wireless link or other type of network interface can also be incorporated as an output device, allowing the information recorded in the reader mechanism to be transmitted to another intelligent device or computer (see page 3, paragraph 29). Although Carayiannis et al is silent with regard to the system using a net line of a LAN to transfer information it is obvious that Carayiannis et al system can incorporate network interfaces such as LAN, WAN, Internet, etc. Thus it would have been an obvious expedient to use a LAN network interface, as it would have been a matter of a design choice of the manufacturer.

Re claim 15: Carayiannis et al fails to teach or fairly suggest wherein the information recording element includes a stack barcode or data matrix barcode. However, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the notoriously old and well known stack barcode or data matrix barcode to the teachings of Carayiannis et al due to the fact that more

Art Unit: 2876

information can be stored in the barcode. Accordingly, employing a stack barcode or data matrix barcode would have constituted an obvious expedient, well within the ordinary skill in the art.

Re claims 16 and 17: Carayiannis et al teaches that the business card can contain a smart card that stores information about an owner (see page 3, paragraph 32). Although Carayiannis et al is silent with respect to the system having an information recording element including a IC chip having a coil antenna, it is well known in the art for smart cards to have an IC chip including a coil antenna. Furthermore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ the notoriously old and well known IC chip including a coil antenna to the teachings of Carayiannis et al due to the fact that a large amount of information can be stored and transmitted faster and more efficiently. Accordingly, employing an IC chip would have constituted an obvious expedient, well within the ordinary skill in the art.

Allowable Subject Matter

7. Claims 11, 12, and 20 are allowable over the prior art.
8. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The best prior art to Carayiannis et al teaches a system for reading display information, however the prior art of record, taken alone or in combination, fail to teach

or fairly suggest a system for reading text display information including an information recording element having a function of counting the number of times information is read, and wherein the number of counts can be stored in a recording medium.

Response to Arguments

10. Applicant's arguments with respect to claims 1-4 and 6-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Iwase et al (US 2002/0165803 A1) teaches an information processing system.

Contact Information


13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to April A. Taylor whose telephone number is (571) 272-2403. The examiner can normally be reached on Monday - Friday from 6:30AM - 4:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [april.taylor@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


April A. Taylor
February 3, 2004


THIEN M. LE
PRIMARY EXAMINER
THIEN M. LE
PRIMARY EXAMINER